

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

SB 1331 - HB 1934

March 26, 2011

SUMMARY OF BILL: Elevates the penalty, from a Class A misdemeanor to a Class E felony, for a person to leave the scene of an accident if the person knew or should reasonably have known that the accident resulted in injury to a minor child.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$337,400/Incarceration*

Assumptions:

- According to the Administrative Office of the Courts, there has been an average of 48 misdemeanor convictions for leaving the scene of an accident in each of the past five years. State court convictions are 10 percent of the total convictions. Total convictions, including general sessions courts, are estimated to be an average of 480 per year. The Department of Correction (DOC) estimates two percent (10) would receive a Class E felony rather than a Class A misdemeanor for leaving the scene of an accident resulting in a child injury.
- According to the U.S. Census Bureau, population growth in Tennessee has been 1.12 percent per year for the past 10 years, yielding a projected compound population growth of 11.78 percent over the next 10 years. Population growth will result in two additional offenders in the tenth year. The maximum cost in the tenth year, as required by Tenn. Code Ann. § 9-4-210, is based on 12 offenders serving a Class E felony.
- According to DOC, the average operating cost per offender per day for calendar year 2011 is \$60.62. The average post-conviction time served for a Class E felony is 1.27 years (463.87 days) at a cost of \$28,119.80 (\$60.62 x 463.87 days). The total additional operating cost for 12 offenders is \$337,437.60 (\$28,119.80 x 12).
- The increase in classification for some offenses from a Class A misdemeanor to a Class E felony would result in a slight decrease in the number of prosecutions in general sessions courts. The decrease in revenue and expenditures to local government will not be significant.
- Any increase in the case loads for the state trial courts can be accommodated within existing judicial resources.

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

/lsc